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ABSTRACT

This paper examines the political status of Romani. the language of the Gypsies/Roma, in the European Union (EU). Even though some groups do not call themselves "Roma," all Romani speaking groups use the name "Romanes" for their language and "Romani/Romano/Romane" for everything related to their group. All groups use the same language, and all languages can be subdivided into dialects. Three aspects make Romani dialects more diverse than other EU dialects: absence of centuries long influence from a standard language or prestige dialect; influence from a variety of local languages; and a great number of communities of Romani speakers (with speakers not all in contact with each other). This paper highlights the following: (1) "Introduction"; (2) "The Roma"; (3) "Roma and International Organizations"; (4) "The Romani Language: Demographic and Sociolinguistic Data"; (5) "The Status of Romani in International Institutions"; (6) "Romani and European Charter for Regional or Minority Languages (non-territorial languages and implementation); (7) "The Framework Convention on the Protection of National Minorities"; (8) "Article 27 of the Un-Covenant on Civil and Political Rights"; (9) "Country-by-Country Survey of Romani in EU Countries" (individual countries, Romani in education, and publications in and about Romani); and (10) "Conclusions: The Future of Romani." (Contains 47 references.) (SM)

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[The political status of the Romani Language in Europe

Peter Bakker & Marcia Rooker

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[The political status of the romani language in Europe

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1. Introduction

This paper gives an overview of the political status of Romani, the language of the Gypsies, in the European Union. It is the geographically most widespread language of Europe and of the European Union. The authors realise that the status of the language is only a minor issue compared to many of the other problems Roma are faced with (discrimination, oppression, violence, racism, poverty). Nevertheless, it is very useful to have an overview of such linguistic facts and agreements, especially since not all the international possibilities for support for Romani are being exploited.

2. The roma

In the late Middle Ages small groups of people dressed in exotic clothing and speaking language that nobody understood caught the attention of the local population. They arrived in southeastern Europe in the 13th century and began to spread from there to the west around 1400 (Fraser 1992). In most places they were well received, often the guests of local magistrates, receiving gifts and food from town councils and nobility. Many of these groups claimed to come from a place called Little Egypt. It was therefore assumed that these people were Egyptians, hence "Gypsies" in English, Gitanos in Spanish, Gitanes in French, Gitans in Catalan, Egyptenaren in Dutch, Ijitoak in Basque, etc. In other areas they were associated by the local people with other exotic populations, hence names such as Bohemians (France), Tatars (North Germany and Scandinavia), Saracenes (Balkans). Other names commonly used by outsiders throughout Europe were names like Zigeuner, Çingeneler or Zincali. The origin of this name is a matter of debate.

These names, like all ethnic labels used by outsiders, are generally considered pejorative by these groups themselves. The ethnic names used by the group themselves are increasingly used also by outsiders, of which "Roma" is the most widespread. Not all "Gypsies", however, call themselves "Roma", even though they call their language "Romani". The latter is the name used almost universally by the "Gypsies" of Central and Eastern Europe. In Western Europe, a small set of other names

are in use. In Finland, Wales, Spain, and formerly also elsewhere, the name Kaló (plural Kalé) is in use, derived from the Romani word for "black". In German speaking countries and immediately neighbouring areas, the traditional "Gypsies" call themselves Sinti, of contested origin. This name is in any case not from the name of the Indian province and language *Sindhi*, as sometimes suggested. In parts of France the word *Manuš* is used, from a Romani word for "human, man". In many parts of Western Europe (Britain, Basque Country, Finland) the name used is *Romanichal*, of which the second part is of contested origin. The first part is derived from the same root as Roma and Romani. The word *Rom*, plural *Roma*, means "(Gypsy) man, human, husband", in some varieties only "(Gypsy) husband". The feminine form is Romni, "(Gypsy) woman", plural *Romnja*. In the Romani language different words are used for Romani men, women and children than are used for non-Romani people. From the root "Rom", an adjective can be formed which is *Romano* (masculine), *Romani* (feminine), *Romane* (plural). If one speaks of the Romani language, one says *Romani ?hib* or *š ib*, literally "Gypsy tongue", or in an abbreviated form just *Romani*. From this, an adverb can be formed with the endings *-es*. Virtually all speakers use *Romanes* for the language. If one speaks Romanes, one speaks "like a Gypsy". All these groups speak varieties of the same language. Liégeois (1995) discusses the diversity of Gypsy and Traveller groups in Europe.

How should we call these people with such a diversity of ethnic labels? The *European Commission against Racism and Intolerance* recommended in 1998 to governments of members states of the Council of Europe "to ensure that the name used officially for the various Roma/Gypsy communities should be the name by which the community in question wishes to be known. The Romani Union proposed on several occasions to use the name "Roma" if one wants to generalise over many different "Gypsy" groups.

Even though some groups do not call themselves "Roma", all Romani speaking groups use the name Romanes for their language and Romani/Romano/Romane for everything relating to their group. All groups use the same language (to the extent that they have not shifted to another language, for instance the local language of their present or former habitat). All languages can be subdivided into dialects, and that is also the case with Romani. Some of those dialects have developed in directions that may make it hard for speakers of other dialects to understand them. In this

respect, however, Romani does not differ from other languages such as German, English or Dutch, where some dialects remain unintelligible to other dialect speakers without special study or prolonged exposure.

There are, however, three aspects that make Romani dialects perhaps somewhat more diverse than dialects of other European languages. First, the absence of centuries long influence from a standard language or prestige dialect. There have been several attempts to create and spread a standard form of Romani, but none of them gained general acceptance. Second, most European languages are influenced by just one (Welsh by English) or two (Catalan by French and Spanish) or three languages (Basque by French, Gascon and Spanish), plus often an international language. Romani, however, is influenced by a variety of local languages, as it is spoken in so many different countries and regions. Different dialects of Welsh or Breton will most likely borrow the same words for specialised and technical items such as "computer", "dental care" or "minister" from the same language, but in different dialects of Romani these are taken from a variety of languages. Third, there is not a single community of speakers of Romani, but a great number, and the speakers are not all in contact with each other. Whereas dialects of other languages continually adjust to each other, Romani dialects are much less influenced by this homogenizing process.

If we abstract from these influences, Romani is actually surprisingly homogenous. Linguists have not the slightest doubt that all varieties of Romani in all communities descend from one language originally spoken in one speech community, with some dialect variation. Today the worldwide Romani population is estimated at between five and twelve million people. Russian linguists have calculated that there must have been around an estimated number of 40,000 Roma at the time of arrival in Europe. All Roma must somehow be descendants of the members of this original community. Where does the Romani language and, we can assume, most of the ancestors of the current speakers, come from? We have seen that the Roma came from outside Europe. In section 3 we will show that they ancestors of the speakers of Romani came from India. However, for these statements, based merely on the facts of the Romani language, there is not the slightest supporting historical proof. Nevertheless, the linguistic facts are particularly strong, and the historical implications of the linguistic facts are uncontested among linguists.

3. Roma and international organisations

In the past decade the Roma have received increased attention from international institutions. This is undoubtedly connected with the democratic changes in Eastern Europe. These changes, while welcomed by most of the population, were not always favourable for the local Roma. Many Roma lost their jobs and due to poor social security systems, ended in poverty or they tried to move to other countries. In some of those countries, formerly hidden sentiments of anti-Gypsyism surfaced, and this led to racist attacks and killings in countries like Bulgaria, former Yugoslavia, Romania, Slovakia and the Czech Republic.

Most of the attention of the international institutions focussed on economic and political issues, with some attention also for social and educational problems. Recently, the World Bank published a report on Roma (Ringold 2000). UNESCO funded a number of Roma-related projects. The Soros Foundation and the Open Society Institute, both set up by Hungarian-American billionaire George Soros, have supported numerous projects relating to Roma.

The Organisation for Cooperation and Security in Europe (OSCE) has also focussed on Roma issues, especially via its High Commissioner for National Minorities (HCNM). In 2000 the commissioner published a report on the situation of the Roma and Sinti in OSCE countries (HCNM 2000), and a year before they had focused on languages (HCNM 1999). The HCNM also prepared a report on government positions on national minorities. All governments of the OSCE states were asked (among others) to report on their national minorities, and the results were synthesised in its report (HCNM 1999). Only a few states explicitly mentioned the presence of Romani speakers. Moreover, the High Commissioner initiated the founding of a Contact Point for Roma and Sinti Issues at the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw. This contact point inter alia acts as a clearing house and initiates contacts between states and Roma NGOs.

Within the realm of European international political bodies, most have devoted attention to Roma, either in projects specifically aimed at Roma, or in

the framework of larger treaties, charters, resolutions or agreements in which the situation of the Roma was pointed out. Some of those will be discussed in section 5 and 6.

4. The romani language: demographic and sociolinguistic data

The European Roma Rights Centre has collected information concerning the number of Roma, giving both official numbers and recent unpublished figures from the Report of the High Commissioner for National Minorities of the OSCE in Europe. Their table gives numbers for all European countries, but here we repeat only their figures for the current members of the European Union. Note that these refer to the number of Roma, not to the number of Romani speakers:

Table 1: Estimated numbers of Roma/Sinti/Kale/Romanichals in EU countries

Country	Official numbers	OSCE	Minority Rights Group
Austria	95	15,000-20,000	20,000-25,000
Belgium	n/a	10,000-15,000	10,000-15,000
Denmark	n/a	2,000-3,000	1,500-2,000
Finland	10,000	7,000-10,000	7,000-9,000
France	n/a	300,000-380,000	280,000-300,000
Germany	50,000-70,000	90,000-150,000	100,000-130,00
Greece	150,000-300,000	150,000-200,000	160,000-200,000
Ireland	10,891	20,000-30,000	22,000-28,000
Italy	130,000	100,000-120,000	90,000-110,000
Luxembourg	n/a	100-200	100-150
Netherlands	20,000	35,000-40,000	35,000-40,000
Portugal	40,000	40,000-50,000	40,000-50,000
Spain	325,000-450,000	650,000-800,000	700,000-800,000
Sweden	20,000	15,000-40,000	15,000-20,000
United Kingdom	90,000	100,000-150,000	90,000-120,000

Source: European Roma Rights Centre website; the OSCE figures have never been officially published, and are no longer given on the ERRC website.

The figures in the last column are from Liégeois & Gheorghe (1995). The "official" numbers are from a variety of sources, mostly estimates submitted to the UN *Committee on the Elimination of Racial Discrimination* in the late 1990s. The numbers for Ireland and the Netherlands include Travellers who are not Roma or Sinti.

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A different set of figures is given below in Table 2, for all European countries, based on a collective work on Romani (Bakker et al. 2000). These numbers also appear to differ slightly from those given above in Table 1. Table 2 provides both absolute numbers (estimated) for the numbers of Romani speakers per country, and the approximate percentage of the Roma population in the country who are speakers of Romani, i.e. people who are Roma but who have not shifted to any other language. This Table does not give information on the number of Roma per country, and it does not give information on e.g. Travellers, Caravan Dwellers and other groups who are sometimes counted together with Roma in the statistics. The figures in Table 2 relate to the number of speakers of Romani, rather than population numbers below are therefore from well-informed sources, but it is not well possible to assess their accuracy. The estimates of percentages are based on impressions of both observers and speakers, but they remain speculative. In the absence of a wide survey, these approximations seem to be better than official statistical information.

Table 2: Estimated numbers of Romani speakers in Europe, and the approximate proportion of the Roma

Country	Approximate number of Romani speakers per country	Approximate percentage of the Roma who speak Romani in the country
Albania	90,000	95 %
Austria	18,000	80 %
Belarus	27,000	90 %
Belgium	10,000	80 %
Bosnia-Hercegovina	40,000	90 %
Bulgaria	600,000	80 %
Croatia	28,000	80 %
Cyprus	650	90 %
Czech Republic	140,000	50 %

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Denmark	1,500	90 %
Estonia	1,150	90 %
Finland	4,000	40 %
France	215,000	70 %
Germany	85,000	70 %
Greece	160,000	90 %
Hungary	290,000	50 %
Italy	80,000	80 %
Kazakhstan	42,000	90 %
Latvia	18,700	90 %
Country	**Approximate number of Romani speakers per country**	**Approximate percentage of the Roma who speak Romani in the country**
Lithuania	3,700	90 %
Luxembourg	100	80 %
Macedonia	45,000	90 %
Moldova	56,000	90 %
Netherlands	7,000	90 %
Norway	200	90 %
Poland	50,000	90 %
Portugal	100	0 %
Rumania	1,030,000	90 %
Russia	405,000	80 %
Serbia-Montenegro	380,000	90 %
Slovakia	300,000	80 %
Slovenia	8000	90 %
Spain	100	0,01 %
Sweden	9,500	90 %
Switzerland	??	??
Turkey	280,000	70 %
Ukraine	101,000	90 %
United Kingdom	1,000	0,5 %

Source: *What is the Romani Language?*, by Bakker et al. (2000)

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Compared to other European minority languages, the proportion of speakers among these groups is surprisingly high. In fact, a survey of the languages of school children in the southern part of the Netherlands showed that Romani, as spoken both by Roma and Sinti children, was the most vital of all languages studied, yielding a percentage of 99 % (Broeder & Extra 1998). The exceptions (i.e. figures lower than 50 %) are the Czech Republic, Hungary, Spain, Portugal, Finland and the United Kingdom. This loss is partly due to former policies of repression in some countries, and assimilation in others. Loss of the language, however, is independent of cultural loss. The Finnish Roma, for instance, remain a very distinctive group in Finnish society with strong cultural traditions.

If we count the number of speakers in the countries which belong to the European Union, then we arrive at a number of Romani speakers of close to 600,000. The largest numbers are found in France, Greece, Germany and Italy. Some EU states with relatively high numbers of inhabitants, nevertheless have low numbers of Roma or Romani speakers (Belgium, Netherlands) . In some states the number of speakers is low despite the presence of a sizeable Roma community (United Kingdom, Spain), since many of the descendants of the immigrants of the 16th century and earlier no longer speak Romani. They preserve a Romani ethnic identity, but they lost the language, in some cases already centuries ago. These groups did develop a new language, called Caló in Spain and Romani in Scandinavia and the UK. In some areas these languages are losing ground to the state language.

Demographically, there is a rather low life expectancy among Roma if we compare it to other populations, combined with a high birth rate, so that young people form a proportionally large part of the population. Even though Roma can be found in all social classes and all levels of wealth, conditions of poverty prevail.

In short, reliable demographic data on Roma are impossible to obtain. There are perhaps two million Roma in the EU, of whom some 600,000 are speakers of Romani, hence roughly one in three. In countries outside the EU, the proportion of Romani speakers among the Roma is invariably higher than this EU

average. Pressure towards language shift was apparently stronger in Western Europe in the 500 years of presence.

5. The status of romani in international institutions

Romani is not an official or recognised language in the European Union. It is, however, counted among European minority languages in many reports relating to regional and minority languages. Further, there are a few individual countries that have recognised Romani, however, and a few others where Romani is used in education, in government publications or in the media - albeit at a modest level.

A number of international institutions have drawn attention to the Gypsies in their documents, often focussing on the protection or the development of the Roma. In some of these papers the language is explicitly mentioned. A range of international institutions have thus expressed support and recognition for the Romani language. Among these institutions we can mention the United Nations, the *European Parliament*, the *Council of Europe*, the *Committee of Ministers* of the EU, the *Standing Conference of Local and Regional Authorities of Europe* (CLRAE), the *Conference on Security and Cooperation in Europe* (CSCE, now the organisation called OSCE) and others. Many of their pre-1994 statements are printed in Danbakli (1994). We briefly discuss some of the most explicit references to the Romani language in international documents, in chronological order. Thereafter we will discuss the Council of Europe's *European Charter for Regional or Minority Languages* in more detail, and discuss how different European countries have or have not applied it to Romani.

In 1981 the *Standing Conference of Local and Regional Authorities of Europe* called upon the governments of members states "to recognise Romanies and other specific nomadic groups such as the Samis as ethnic minorities and, consequently, to grant them the same status and advantages as other minorities may enjoy, in particular concerning respect and support for their own culture and language" (Danbakli 1994: 130). Two years later, in June 1983, the *Council for Cultural Co-operation* recommended "that the Romany language and culture be used and accorded the same respect as regional languages and cultures and those of other minorities". (CCC, DECS/EGT (83) 63, 81 88204 2; Danbakli 1994: 163).

In 1989, the *Council and the Ministers of Education* stated that "Gypsies and Travellers currently form a population group of over one million persons in the Community and that their culture and language have formed part of the Community's cultural and linguistic heritage for over 500 years" and therefore they aim at promoting "teaching methods and teaching materials" with "consideration for the history, culture and language of Gypsies and Travellers" and encourage "research on the culture, history and language of Gypsies and Travellers" (Resolution 89/C, 153/025; Danbakli 1994: 24-26).

During the Copenhagen Meeting of the *Conference on the Human Dimension of the CSCE* in 1990 the participants explicitly recognised "the particular problems of Roma (Gypsies)" (40). They stated further "that persons belonging to national minorities, notwithstanding the need to learn the official language or languages of the state concerned, have adequate opportunities for instruction of their mother tongue or in their mother tongue, as well as, wherever possible and necessary, for its use before public authorities, in conformity with applicable national legislation" (34). National minorities should further have the right to "freely use their mother tongue in private as well as in public" (32.1) and to "conduct religious educational activities in their mother tongue" (32.2) and other such basic linguistic rights Danbakli 1994: 173-177).

Perhaps the most important document is the *European Charter for Regional or Minority Languages* of 1992. That will be discussed separately below.

In 1993 the *Parliamentary Assembly* of the European Parliament approved a recommendation on Gypsies in Europe in which it was stated that "as a non-territorial minority, Gypsies greatly contribute to the cultural diversity of Europe", among others with their language. European cultural diversity can be enriched when "guarantees for equal rights, equal chances, equal treatment, and measures to improve the situation will make a revival of Gypsy language and culture possible" and therefore a European programme for the study of Romani should be set up. The Assembly further explicitly stated that "the provisions of non-territorial languages as set out in the European Charter for Regional and Minority Languages should be applied to Gypsy minorities" (Danbakli 1994: 108-111).

The Universal Declaration on Linguistic Rights, approved by a host of institutions and non-governmental organisations in Barcelona in 1996, seems to include a language like Romani, despite its emphasis on a territorial base throughout the document. Article 1.4 *"considers nomad peoples within their historical areas of migration and peoples historically established in geographically dispersed locations as language communities in their own territory"*, where *"territory"* in this case can be understood as the whole of Europe. This is not a government document, however.

In February 2000, the *Committee of Ministers* of the Council of Europe recommended: "In the countries where the Romani language is spoken, opportunities to learn in the mother tongue should be offered at school to Roma/Gypsy children". This recommendation was drafted by the *Council for Cultural Cooperation* of the *Council of Europe*.

In summary, a great number of international political bodies have, directly or indirectly, expressed the need to support the Romani language. Others could be added. The next section analyses the implications of the 1992 Charter in more detail.

6. Romani and European Charter for Regional or Minority Languages

The *European Charter for Regional or Minority Languages* of 1992 (Council of Europe 1992a) is operative since March 1998 in the states that ratified it. The Charter specifically mentions non-territorial languages, a label which would include Romani (even though one could argue that Romani is not non-territorial in that all of Europe is its territory). In fact, in the *Explanatory Report* Romani ("Romany") is explicitly mentioned as an example of a "non-territorial language", to which some parts of the Charter can be applied (Council of Europe, articles 36 and 37).

The importance of the European Charter on Regional or Minority Languages with respect to non-territorial languages is in the first place in its recognition of the existence of these languages. The protection it guarantees is that the general principles for all minority languages enshrined in Part II apply mutatis mutandis to non-territorial languages (Article 7(5)) (see also sections 6.1 and 6.2. below).These

general principles include the recognition of the language as an expression of cultural wealth; resolute action to promote the language in order to safeguard it; provision of forms and means for teaching and studying the language; promotion of transnational exchanges when the same language is used in another state. Apart from these affirmative measures the states have to eliminate any act of discrimination related to the use of the minority language. And of course the needs and wishes of the speakers of the minority language have to be taken into consideration, even more so with respect to speakers of a non-territorial language.

In January 2001, the Charter had been signed by 24 countries, among them 11 of the 16 EU states, and it had been ratified by 11 states, including five European Union countries. The Charter is now (January 2001) in force in the following countries: Croatia, Denmark, Finland, Germany, Hungary, Liechtenstein, the Netherlands, Norway, Slovenia, Sweden and Switzerland. Ratifying states can list languages to which the Charter applies and they can specify in which areas (e.g. education, mass media) these minority languages will be promoted and developed, by referring to specific sections of the charter.(see Council of Europe 1997-2001). Not all states mention Romani in the list of languages to which the Charter applies. As stated above, the general principles of Part II apply mutatis mutandis to non-territorial languages. States therefore do not need to mention Romani explicitly in this respect. If they do, due to the non-territorial nature of the language, they still do not have to declare which specific sections of the charter apply to Romani, but some countries have done so.

Four member states of the European Union mention Romani in their declaration upon ratifying the Charter: Finland ("Romanes"), Germany ("the Romany language of the German Sinti and Roma"), the Netherlands ("Romanes"), and Sweden ("Romani Chib").

Of the six non-EU states that ratified the Charter, only Slovenia ('the Romani language') mentions Romani in its list of recognised minority languages, even though the language is spoken in the other countries as well, and sometimes by sizable minorities. Some 260,000 speakers in Hungary (six other languages recognised), and some 28,000 in Croatia (seven other minority languages recognised). Croatia even made an explicit reservation with respect to the provisions of Article 7(5). That means that

the general principles contained in Part II of the Charter will not be applied to non-territorial minority languages. It is worth mentioning, however, that about 5,000 Roma (cf. 28,000 above) live in Croatia, according to the Croat official statistics. They would make up 0.1% of approximately 4,784,265 people (UN Docs. HRI/CORE/1/Add.32, ' 9, p.4, 1994). Most of these Roma arrived in Croatia relatively recently. During the Second World War many Croatian Roma were killed by the nationalistic forces.

6.1. Non-territorial languages

The term "non-territorial language" is fairly new. The first, and up to now only, international instrument to mention non-territorial languages is this Charter. The definition of non-territorial languages in Article 1(c) of the Charter says:

"languages used by nationals of the state which differ from the languages used by the rest of the state's population but which, although traditionally used within the territory of the state, cannot be identified with a particular area thereof."

The explanatory report (Council of Europe 1992b) gives two examples of languages that qualify as non-territorial: Romani and Yiddish, languages connected with the Roma and Jewish communities respectively. Their inclusion in the Charter is motivated as follows:

" 36. 'Non-territorial languages' are excluded from the category of regional or minority languages because they lack a territorial base. In other respects, however, they correspond to the definition contained in Article 1, paragraph a, being languages traditionally used on the territory of the state by citizens of the state. Examples of non-territorial languages are Yiddish and Romany.

37. In the absence of a territorial base, only a limited part of the charter can be applied to these languages. In particular, most of the provisions of Part III aim to protect or promote regional or minority languages in relation to the territory in which they are used. Part II can more easily be applied to non-territorial languages, but only mutatis mutandis and on the terms set out in Article 7, paragraph 5."

Some states that ratified the Charter have identified more languages as non-territorial. Germany has identified Low Germany as another non-territorial language, and the Netherlands have declared to treat Lower Saxon and Limburger languages as non-territorial, although these two languages are connected to certain regions.

6.2. Implementation

For the time being nowhere the objectives and principles of the Charter have been fully implemented with respect to Romani. It will take time to pass from the negative stereotype of Roma as vagrants and thieves to the recognition of their language as an expression of cultural wealth that needs promotion.

Furthermore, according to Article 7(5) of the Charter:

"the nature and scope of the measures to be taken to give effect to this Charter shall be determined in a flexible manner, bearing in mind the needs and wishes, and respecting the traditions and characteristics, of the groups which use the languages concerned".

This can easily be used as an escape clause. Traditionally Romani has not been a language of instruction, except in a limited number of schools. Neither has it been even looked upon as a real language, due to lack of information.

A more positive explanation of this phrase is that the measures to be taken to give effect to the Charter are not only found in the policy developed to meet the objectives and principles of Article 7, but also in Part III of the Charter, which gives a catalogue of minority language rights, like education in the mother tongue and the use of the minority language in the media. States can select for a specified minority language a minimum of thirty-five provisions from Part III (Article 2(2)) to be bound with. "Flexible" in this respect means that fewer than thirty-five provisions can be selected for a non-territorial language. Also, the condition that certain provisions have to be selected (Article 2(2)) can be applied less strictly. Up to now only Germany has interpreted the Charter in this manner by not only applying the general principles of Part II but also indicating which provisions of Part III will apply to Romani in which Land or in the entire territory. Germany

made a selection of the Charter provisions aimed at ensuring the teaching of Romani history and culture; facilitating the use of Romani in civil and administrative procedures; allowing the use of family names in Romani; encouraging and/or facilitating the use of Romani in the media and in printing; ensuring no limitations in law on Romani in economic and social life; and finally co-operating with neighbouring countries on several subjects with respect to Romani or not hampering contacts with Romani speakers of other countries. Besides, some Länder have declared some more provisions will apply to Romani, for example, with respect to education and with respect to cultural activities. The German selection of provisions may reflect for the most the rights Roma and Sinti already enjoy, but still, Germany has to be commended for recognising these rights in this way and setting a tone how the Charter can be applied.

As the Charter is not a self-executing document, a reporting system and a Committee of experts to inform the Committee of Ministers of the progress made with the implementation of the Charter has been set up. The Charter gives ample room to NGOs to inform the Committee of their views concerning the implementation of the Charter. Thus, the Charter gives minorities an opportunity to voice their grievances, although its main aim is the protection of the regional or minority languages and not the speakers of these languages.

7. The framework convention on the protection of national minorities

The other recent Council of Europe's minority treaty is the *Framework Convention on the Protection of National Minorities*. This Convention entered into force on 1 February 1998 (on the first day of the month following the expiration of a period of three months after the date on which twelve member states expressed their consent to be bound (Article 28(1)). The *Framework Convention* contains articles on the use of minority languages (Articles 10, 11 and 14) providing for the right to use the minority language in private and public, to use names in the minority language and the right to learn one's minority language. But the basic precondition for the protection of Romani language is the recognition of Roma as a national minority. This is especially important in the light of the fact that the states which are parties to the Convention could not agree on a definition of "national minority". Consequently, some states have, at the time of ratification of the Convention, made a declaration and listed minorities to which the Convention would

apply. By January 2001 there were 33 ratifications with reservations and declarations concerning the application and implementation of the Framework Convention. Malta and Liechtenstein declared for example that no minorities live on its territory. Some states came up with a definition of "national minority": Estonia, Luxembourg, Russia, Switzerland and Austria. Austria limited the protection to those minorities that come within the scope of its 1976 *Law on Ethnic Groups* (*Volksgruppengesetz*). Roma with Austrian nationality are one of the minorities recognised under this Law, which was amended in 1993 to include Roma. Denmark only recognises the Germans in South Jutland as a minority. Further Germany, Slovenia and Macedonia mention Roma specifically in their respective declarations as being national minorities.

Like the Charter, the Convention is not a self-executing document and therefore much depends on the reporting system. The Committee of Ministers monitors the implementation, assisted by an advisory committee. This seems paradoxical as this Convention is open for signature for states that are not members of the Council of Europe and therefore do not participate in the work of the Council of Ministers, while at the same time member states that have not ratified the Convention have a say in its implementation. Pursuant to Article 25(1) the first State reports -due to be submitted within a year of the entry into force of the Convention in respect of a Contracting Party, have already been submitted but not yet discussed. Anyhow, it would be interesting briefly to discuss the report submitted by Croatia, taking into consideration that Croatia made a reservation with respect to non-territorial languages when ratifying the European Charter for Regional and Minority Languages (deposited on November 5, 1997). Therefore, its position could not be different with respect to Roma language rights under the Framework Convention. In fact, the Croat attitude towards Roma and Romani is rather clear: the problem lies in the fact that some children do not attend classes and there are those who do so and are incorporated in the regular schooling system in the Croatian language Y[having the possibility to] successfully become part of the social environment in which they live" (CoE Doc ACFC/SR (99) 5 p. 151 B 1999). Roma children will only succeed in Croatia when they adapt, which as a position is, of course, contrary to the spirit of the Framework Convention.

8. Article 27 of the un covenant on civil and political rights

At the international level, Article 27 of the UN *Covenant on Civil and Political Rights* gives protection to members of minorities, with the possibility of an individual complaint if the state concerned has ratified the 1966 First Optional Protocol to the Covenant. In its General Comment No. 23 the Human Rights Committee has elaborated its interpretation of Article 27 in 1994 (UN Doc A 49/40 pp. 107-110 B 1994). It is a liberal interpretation that, for example, includes the extensions of the protection under Article 27 to non-citizens. With respect to the use of a minority language, members of minorities are entitled to use their language in private and in public. It should be distinguished from the right to freedom of expression and the right of accused persons to interpretation during criminal proceedings. States are obliged to take positive measures to protect members of minorities and to report to the Human Rights Committee on the measures taken in the reporting period. The Committee recognises that Article 27 is an individual right but this individual right depends in turn on the ability of the minority group to maintain its culture, language or religion. Accordingly, positive measures by states may also be necessary to protect the identity of a minority and the rights of its members to enjoy and develop their culture and language and to practice their religion, in community with the other members of the group.

Thus states should not only refrain from banning the language and similar destructive measures but should also enable minorities to speak and develop their language, and ensure they have the possibility and means to do so. The question whether the article applies to Roma, which arose with respect to the Council of Europe's Framework Convention, does not occur at the UN level, as the Human Rights Committee gives this liberal interpretation of the term "minority".

9. Country-by-country survey of romani in EU Countries

As it may be useful, we will give a brief survey of Romani in the different EU countries, both regarding its political status, and the support the states provide for the language in education. We will also discuss the existence of media (e.g. periodicals, books, radio, television) in the different countries and about dialectal diversity. Some overlap with issues dealt with above is unavoidable, but for the sake of the overview we thought it better to give some information again here. We will start in the south and

move north from there. The political status of Romani appears to ameliorate the farther north we travel, and in this way we can end with an optimistic outlook.

9.1 Individual countries

Greece. Greece has not signed the Charter. Quite a few minority languages are spoken, and there are as many as 160,000 speakers of Romani. Very little work has been done on Romani in Greece. Some years ago, Greece hosted a conference on Roma education, which was attended by a number of linguists. A recently published Romani-Greek dictionary was financially supported by a private entrepreneur.

Italy. Italy has signed but not yet ratified the Charter. A state law was passed in Italy in 1999 regarding historical minorities (Italia 1999). Six Romance languages and six non-Romance languages are recognised, apart from the official language Italian. Romani is not included in the list of recognised languages. Bolognesi & Incerti (2000) wrote: "Initially several proposals for the law were also aimed at the improvement of the linguistic situation of the 130,000 citizens of the Rom and Sinti ethnic groups. But afterwards the law has been changed, since the majority of the members of the Italian parliament did not consider it necessary to support the recognition, because no connection can be made between this culture and a specific territory. Indeed, Gypsy communities, following their tradition, are not settled but they are in majority nomads." In other words, the lack of a territory and a supposed nomadic lifestyle would have been reasons for Italy not to recognise Romani. The exclusion of Romani was criticised in a declaration of the Council of the Bureau for Lesser Used Languages at its Annual Assembly in Trieste in March/April 2000. The members mentioned the problem of the "recognition and protection of the Roma language, which have been excluded from the framework legislation despite the request of Roma speakers and their associations to be specifically considered".

There are some 80,000 speakers of Romani in Italy, speaking diverse dialects. Several varieties have been spoken in Italy for several centuries, whereas speakers of others have arrived in the 20th century, mostly from Yugoslavia. Private organisations have produced teaching material, dictionaries and grammars for several dialects. Several poetry collections in Romani have also been published. Italian scholars

are also responsible for a sizable number of academic linguistic studies. A few periodicals appear with texts in Romani. Nevertheless, school teaching in or about Romani seems to be limited (see Casile 1988 for a regional study). Occasionally Romani courses for adults have been taught as well.

Spain. Spain is the EU country with the largest number of Gypsies (634.847 in a recent report of a governmental commission, España 1999). Most of the indigenous Gitanos (descendants of the immigrants of the 1500s) no longer speak Romani. They have developed a new language called Caló, in which Romani words are a main component, used in a Spanish grammatical framework. In most communities, however, the language has been reduced to a small remnant Romani vocabulary embedded in the local vernacular. In the Basque Country and Catalonia similar developments led to new languages combining Basque and Romani, and Catalan with Romani respectively.

Some teaching materials and several dictionaries exist for Caló. The regional government of Andalucia published a teaching grammar of a "deep" variety of Caló (Plantón García 1993). Knowledge of international Romani is limited to Gitano intellectuals and the more recent (not very numerous) immigrant groups such as Kalderash, who have been present in Spain for more than a century. An idealised Romani language, called Romano-Kalo, is sometimes used in print (mainly periodicals, but also the Spanish Constitution!), but this seems more symbolic than communicatively useful.

The Spanish state signed the Charter in 1992, but it has yet to ratify it. It was first expected that Romani may be included (cf.Vilaró & Unamuno 2000), but Spain has decided that it will not mention Romani in its ratification although a recent report of the Spanish Congress (España 1999) recognised the distinct language of the Gitanos.

Portugal. The number of Romani speakers in Portugal is negligible. Nothing in or on Romani has been produced. The descendants of the first wave immigrants have apparently lost their language. There are a few Kalderash families.

Austria. The Roma are recognised in Austrian law on the basis of the 1976 Law on Ethnic Groups, specifically in its 1993 amendment. The Burgenland Roma are also mentioned in the 1994 law on the education of minorities (BGBl. 641/1994) The Austrian government has signed, but not ratified the Charter. Romani will be part of the ratification. The government has also supported a number of Romani related projects.

Four dialect groupings are present. Teaching material, a comic book, dictionaries, story books, computer games, periodicals for adults and children, scientific studies have been produced or are being developed for Burgenland Romani dialect (most extensive), Kalderash, and the Lovari dialect (in development), most with direct ore indirect state or EU support.

France. France has not ratified the Charter, but it gave a declaration in 1999 that it would specify the languages, in a state with French as the only official language. A commission that was set up to study the regional and minority languages of France produced a report in which some 75 languages were listed for France - including overseas territories (Cerquiglini 1999). "Romani Chib" is one of the languages mentioned, and therefore potentially recognised. The Sinti, Vlax and Caló dialects are explicitly mentioned.

There is indeed a variety of dialects in France. Teaching material is available for some varieties, mostly for adults. Also story books, dictionaries and grammars have been produced, mostly by university institutes. Nevertheless, little or no Romani is used in schools. The Gypsy Research Centre of Paris has produced some educational material in a standardised form of Romani. The language is also taught at the university in Paris. A radio station in Paris has a weekly program in Romani.

Germany. Germany has signed and ratified the Charter (see 6.2). Some teaching material has been developed for Roma, one of them in three dialects. Occasional Romani teaching. Romani speaking teaching aides at some places. The Sinti object to outside involvement with their language.

Belgium. Belgium has not signed the Charter. Several Romani dialect groupings are present. No Romani teaching material has been produced. There seems to be no Romani language education in Belgium.

Netherlands. The Netherlands have signed and ratified the Charter. As yet, there have been no practical results, with respect to Romani. Except for some more or less private initiatives, no teaching material has been produced - at least not published. Occasional small-scale teaching initiatives have taken place on schools. Three issues of a bilingual periodical Romani-English were published. and poetry were published in Romani. Dutch Sinti resist outside involvement with their language, and Roma from former Yugoslavia lack the resources.

United Kingdom. The United Kingdom signed the Charter in March 2000 and has ratified it in March 2001 without granting Romani an official status.

The descendants of the very first Romani speaking immigrants, the Romanichals, no longer speak Romani, but an intertwined combination of Romani and English, which they call Rommany. There is some educational material relating to this language.

Further there are thousands of Romani-speaking immigrants, speakers of different dialects. No educational material seems to have been produced by or with those groups. Some periodicals and religious texts have been published in Romani, in the varieties spoken by these groups and in the "Rommany" variety.

Denmark. Denmark has signed and ratified the Charter. It only recognises the German minority in southern Denmark in its ratification. The presence of a Romani community is ignored. There are around 1000 speakers of Romani in Denmark.

The original Danish Romani population, which arrived in the early 1500s, is partly assimilated, partly deported. Danish Travellers acknowledge Romani ancestry. They are descendants of 19th century immigrants from Germany (Enevig 1965). Their language, a form of Para-Romani which combined Low German with Romani, is now extinct and only partly documented.

There are small communities of Roma in several places, most of them from former Yugoslavia, and most of them arrived from the 1960s onwards. Most of these are speakers of Vlax and Balkan dialects. Some families came from Slovakia, probably speakers of Slovak Romani.

There is no teaching material, no formal Romani education and no media in Romani. An initially successful experiment in Helsingø, where the largest Roma community of Denmark resides, collapsed in the early 1980s, not long after its start: parents resisted Romani teaching, apparently because the dialect used deviated from their own (see Liégeois 1998: 204).

Norway. There are a few hundred Lovara and Churara in Norway (Vlax dialect group). There seems to be no recent teaching material, but some was produced in the 1970s. There is an academically produced text collection of Norwegian Lovara, with a glossary.

Further there is a separate language locally called "Rommani" (a combination of Norwegian and Romani) for which printed learning material and a dictionary exists. It is spoken by an unknown number of people, descendants of the 16th century Romani immigrants.

Sweden. Sweden has recently recognised Romani in all its varieties (Regeringskansliet 1999). It has signed and ratified the Charter in 2000. Some government documents have been translated into the Arli Romani (Balkan) and Kalderash (Vlax) dialects, specifically a fact sheet on ethnic minorities in Sweden (Regeringskansliet 1999). A report on Romani was prepared for the Minority Languages Committee of the Swedish Government in 1997 (Fraurud & Hyltenstam 1997).

Song books, several teaching books, reading material and a grammar have been produced by a state-financed institution, and more is being produced. Money has been reserved for Romani mother tongue teaching and Romani use in mass media. Sweden is dialectally diverse: speakers of Finnish Romani, Kalderash, Lovari and Balkan varieties are established groupings in Sweden. Apart from these, there

are also the descendants of the very first Romani immigrants, who call themselves Romani-Manusj. They no longer speak the same Romani, but an intertwined combination of Romani and Swedish, which is a distinct language. There is a dictionary of this language, but no teaching material. It seems widely known among young people and is also used in correspondence, including via the Internet.

Documentation and analyses of Swedish policy towards minorities, including Roma, can also be found in Hannikainen (1996), the contributions in Hyltenstam (ed., 1999), and Hegelund (2000).

Finland. In Finland, the Romani language is recognised in the Constitution of June 11 1999. Apart from the national languages Finnish and Swedish, some minorities are granted linguistic rights: "The Sami, as an indigenous people, as well as the Roma and other groups, have the right to maintain and develop their own language and culture." (Finnish Constitution, section 17; see Vilaró and Unamuno 2000). Also in its ordinary legislation, Romani is mentioned. The Act on the Public Broadcasting Company, for instance, in its amendment of 1998, mentions as one of its duties "to produce services in the Same and Romani languages and in sign language (...)" (see Vilaró and Unamuno 2000).

Finland is dialectally homogenous, but the local Romani language (Kaalo) is endangered. Apart from the Kaalo speakers, there is a small number of recent Romani immigrants from Central Europe. Several dictionaries and some teaching material have been produced for Finnish Romani (see Vuolosranta 1999). The Research Institute for the Languages of Finland and the Romani language board cooperate in the documentation, preservation and development of the language.

The Finnish *Kaale* (as they call themselves) are a well organised community, who keep language education in their own hands. Many Kaale are reluctant to share their language with outsiders. There is an official representative body of Roma who deal with issues relating to Roma and who advise the government. The treatment of Roma in Finland has been praised by several observers (see e.g. Hannikainen 1996). The Romani language is used in day-care centres and it is possible to learn Romani as a voluntary subject in a few schools. According to official figures, 230

pupils (out of 1500 Romani children) received instruction in Romani in the year 1998-1999 (Virtual Finland 1999, Vuolosranta 1999).

Ireland, Liechtenstein and Luxembourg. In Ireland, Liechtenstein and Luxembourg, the number of Romani speakers is negligible. The Irish Travellers, who are reasonably numerous in Ireland and the United Kingdom, are not historically related with the Roma, and they have no knowledge of Romani, except through contacts with speakers.

According to the Liechtenstein government, there are no minorities in Liechtenstein. There is a modest number of Romani speakers in Luxembourg, but it has no official status in Luxembourg. The language does not seem to be used in school, and no literature has been produced.

Romani in EU candidate countries. There is no space here to discuss the status of Romani in EU candidate countries. There are huge differences from country to country. Hopefully this can be dealt with in a future study.

9.2. Romani in education

In short, the use of Romani in primary education in the EU thus far seems to be marginal, both as a subject of classes, or as a language used in class. The situation in secondary education is even worse: there seems to be no secondary school in the EU (in contrast to some Central European countries) where Romani is a subject of teaching, or the language of instruction. At the university level, Romani has been studied and taught at least in Austria, Denmark, France, Germany, Italy, the Netherlands and the United Kingdom in the last decade.

There is a network of researchers, consultants, parents, teachers and others who are involved in the education of Roma and Travellers, but publications relating to Gypsy and Traveller Education rarely deal with linguistic problems in depth, if at all.

All in all, a reasonable amount of teaching material for Romani has been produced. This has often been produced locally, by local Romani groups, for specific dialects, and generally has little or no impact on other Romani communities. This includes periodicals (often bilingual), ABC books, Biblical material, song books, story books, poetry, a comic book and computer games.

Thus far we discussed linguistic aspects of Romani education. Many Roma parents, however, avoid schools because they see schools as a threat to Romani culture. Ian Hancock, himself a Rom, described these feelings in the following eloquent way, relating to the American situation (Hancock 1999).

"From the traditional Vlax [a Romani subgroup] point of view, formal schooling has not been regarded as a good thing. It requires that Roma enter the non-Romani world, which is seen as polluting and counter-cultural. Not only is the environment unclean - particularly with regard to the toilet and cafeteria facilities, but equally unacceptable would be the seating of boys and girls in the classrooms, and the topics addressed in the curricula. It would also require formally identifying oneself and filling out paperwork, and spending a fixed amount of time in a non-Roma-controlled environment.

The classroom is seen as a place to learn to become gadzikanime or "Americanized", there is nothing in the schoolbooks about Romani history or contributions, and when "Gypsies" turn up in the classes they are invariably represented negatively in works of fiction - especially children's fiction (Hancock 1988) - and the historical figures presented as heroes in Western culture are all too frequently the same individuals who sent Roma into exile or even to their deaths. Schools are seen not only as environments that do nothing to teach a child to be a better Gypsy, but which seem determined instead to homogenize and de-ethnicize that child. Stories about children's interaction with domestic pets, for example, send a different message to the pupil from the values taught in the home."

It is clear that such attitudes will lead to situations in which school attendance is avoided, and this requires special attention from educators. This is often seen as a problem. In the Netherlands there was a special Gypsy-school-attendance liaison. In Sweden (Skolverket 1999) a report on school attendance was

produced recently. In Denmark, Romani parents will be cut on welfare if their children do not attend school. Traditionally, illiteracy among Roma is high, but there are Roma in all professions, including those which require a high level of literacy. There are Romani lawyers, doctors, school inspectors, professors, poets, actors, journalists and politicians.

9.3. Publications in and about Romani

Romani is not widely used in writing. Even though many people, including speakers of the language, state that Romani cannot be written, there is a considerable body of literature both on the language and in the language. An overview of the development of writing systems is given in Matras (1999). A bibliography of academic publications (Bakker & Matras, forthcoming) contains around 2000 titles about Romani in linguistic publications, as published after the year 1900. A report on publications in Romani (Ackovi? 2000) estimates the number of publications in Romani at around 500, including periodicals. Even though there is no complete Bible translation, there are more than 50 partial Bible translations into a range of varieties of Romani. In addition, there are several hundreds of monographs authored by Roma, including autobiographical accounts, fiction, renderings of myths and fairy tales, story books, how-to books, medical brochures, poetry, ABC books, school books (including a mathematics book), cultural essays and political statements, etc. The first Romani daily is scheduled to appear in Macedonia in January 2001. A catalogue of these is in preparation (see Bakker 2001). Most of these works in Romani remain little known because of a lack of a network for distribution. In the meantime the number of people literate in Romani is growing (Kenrick 1996).

To a limited extent, governments and international political bodies have made use of the Romani language, or have published in Romani. The Universal Declaration of Human Rights exists in two different translations. Macedonia and the USA made their census questionnaires available in Romani in recent years. The Swedish culture ministry published one of its informative leaflets regarding minority languages in two Romani dialects, Arli and Lovari.

10. Conclusions: the future of romani

The prospects for an extended use of Romani in the public domain are now better than ever. Romani is increasingly being recognised as a language. The general public shows more and more awareness of its existence, its distinctness and its unique nature.

Politicians are increasingly aware also of the number of speakers in the EU. More and more states have recognised the Romani language, and have committed themselves to the promotion and development of the language. Some states already actively support research, publication and education in Romani. However, other states continue an ignorant or even oppressive attitude towards Romani, known from the past. Outside the EU, Croatia purposely excludes Romani from its minority language policy. Within the EU, Italy has consciously dropped Romani from its national legislation, with false argumentation. The northernmost countries Sweden and Finland appear to have the best legal and practical support for the Romani language.

This is not enough, however. Romani groups in many countries should be made aware that they have the law behind them if they want to make public use of their language. If they don't have this legal support yet, this should be granted as soon as possible.

More practical support for Romani would be appropriate, and the many resolutions in support of the language need to be implemented as soon as possible.

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